

**Minutes**  
**Woodbury City Council**  
**Wednesday, October 13, 2021**

Pursuant to the due call and notice thereof, a regular meeting was duly held virtually and at the Woodbury City Hall, 8301 Valley Creek Road, on the 13th day of October 2021.

**Call to Order**

Mayor Anne Burt called the meeting to order at 7:30 p.m.

Mayor Burt welcomed those listening and attending. She said members of the public may attend the meeting but will be required to comply with social distancing parameters as determined by the City. Members of the public may also join the meeting using a PC, Mac, iPad, iPhone or Android device. Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting. Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. via email [council@woodburymn.gov](mailto:council@woodburymn.gov) or call 651-714-3524 and leaving a voicemail message.

**Pledge of the Flag**

Audience, staff, and Council pledged allegiance to the flag of the United States of America.

**Roll Call**

Upon roll call the following were present: Mayor Anne Burt, Councilmembers: Kim Wilson, Andrea Date, Steve Morris, and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaeser, City Clerk; Clinton Gridley, City Administrator; Janelle Schmitz, Community Development Director; Megan Beck, Communications Specialist; Mary Tietjen, City Attorney.

**Special Order of Business**

**A. South Washington County School District Referendum**

School District #833 Superintendent Julie Nielsen reviewed the Operating and Capital Projects levies on the upcoming November 2, 2021 election ballot. There will be two questions on the ballot related to stability and technology. The questions are not contingent upon each other.

Ms. Nielsen stated, with regard to stability, two smaller levies are proposed to be replaced with an increased levy that would expire in 2031. This represents an increase of \$350 per pupil, with an annual financial impact of \$158 per year for the average homeowner.

School District #833 Director of Finance & Operations Dan Pyan stated the 2017 Capital Projects levy would be combined into a new levy for technology with no renewal until 2013, with an increase in funds to \$270 per student. The impact for the average homeowner would be \$49.92 per year. The Capital Projects levy is the lowest in the State of Minnesota at \$112 per student.

Mr. Pyan stated residents can determine their individual tax impact by visiting [www.sowashco.org/vote2021](http://www.sowashco.org/vote2021) and accessing the tax calculator. Early in-person voting began on September 17 and end on November 1, and will be available on Saturday October 30, 2021 from 8:00 a.m. – 3:00 p.m.

Mr. Pyan stated residents can find information about where to vote at [www.mnvotes.org](http://www.mnvotes.org), or by calling (651)430-6175. Early voting mail-in ballots must be received before November 2, 2021. Polling locations will be open from 7:00 a.m. – 8:00 p.m. on Tuesday, November 2, 2021.

**B. Presentation of Awards to Photo Contest Winners**

Communications Specialist Megan Beck reviewed Woodbury Magazine's annual Focus on Woodbury photography contest. Submittals were due at the end of August, and 198 entries were received this year, with 18 entries that will be recognized tonight. She thanked the judges and congratulated the winners.

Ms. Beck stated the winning entries will be used throughout the year in social media and on the City website. She added it is special to have photos of the community taken by its residents. She noted the winning entries will be published in Woodbury Magazine, the contest sponsor.

Ms. Beck reviewed the winning entries in each category:

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Nature: 1<sup>st</sup> place, Nancy Berg; 2<sup>nd</sup> place, Jon Bayer; 3<sup>rd</sup> place, Kent Nye; Honorable Mention, Darrin Cresswell.  
Pets: 1<sup>st</sup> place, Lorrie Burdeski; 2<sup>nd</sup> place, Lorie Pearson; 3<sup>rd</sup> place, Braden Hopps  
People: 1<sup>st</sup> place, Heidi Hopps; 2<sup>nd</sup> place, David Augustson; 3<sup>rd</sup> place, Stephanie Lundell; Honorable Mention, Lorie Pearson  
Landmarks: 1<sup>st</sup> place, Kent Nye; 2<sup>nd</sup> place, Greg Hagen; 3<sup>rd</sup> place, Zachary Colberg  
Events: 1<sup>st</sup> place, Nikki Osho; 2<sup>nd</sup> place, Anna Denn; 3<sup>rd</sup> place, Mandi Folks; Reader's Choice, Minh Thi

Mayor Burt congratulated all the winners and thanked everyone who participated in this year's contest.

**C. Code Compliance Month Proclamation**

Mayor Burt read in full a Proclamation recognizing October 2021 as Code Compliance Month in the City of Woodbury.

**Open Forum**

The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects, which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting. Give the sign-up sheet to any staff person. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.

Francis White, 1849 Lamplight Drive, stated he would like to discuss the Royal Oaks Project, which was discussed during last night's neighborhood meeting, and on which the City Council will make a decision during the October 27, 2021 City Council meeting.

Mr. White stated City Staff did not listen to a room full of people last night who do not want sidewalks and narrowed streets in their community. He added, unless this project is modified to remove sidewalks and narrow streets, he will take the City to District Court as he is an attorney. He noted other residents support this.

Mr. White stated sidewalks will impose a burden on disabled and elderly community members who will be required to do snow removal. He added, in his professional opinion, that is a violation of the Americans with Disabilities Act and the Fair Housing Act. He noted the City Council will have the opportunity on October 27, 2021, to amend the plan to remove sidewalks and eliminate the narrowing of streets.

**Consent Agenda**

Councilmember Wilson requested the Consent Agenda Items 6C and 6E be removed and added to the Regular Agenda.

All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.

Item A Approval of Council Minutes – September 29, 2021

Item B To adopt the following resolution **Resolution 21-171**

**Resolution of the City of Woodbury, Washington County, Minnesota authorizing the naming of Highcroft Park and Harvest Park.**

Item C Meadowood Villas; Final Plat and Development Agreement, Project No. 06-2021-00466. This item was pulled from the Consent Agenda and moved to discussion.

Item D To adopt a motion approving Nystedt Plat; Amended Final Plat and Development Agreement; Project No. 28-2021-00450 with all approvals subject to the conditions as outlined in Council Letter 21-236.

1. All conditions of the Preliminary Plat approval shall remain in full force and effect.
2. The final street names shall be reviewed and approved by the Chief Building Official.
3. Prior to the release of the Final Plat, a Development Agreement shall be executed. Said agreement shall include the terms of the acquisition of the well site located on Outlot A.
4. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property.
5. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney's plat opinion.
6. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is

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calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.

7. The Developer shall receive written approval that all obligations have been completed prior to dedicating all outlots. Any and all future tax obligations shall be paid by the Developer.
8. The Final Plat shall be recorded prior to issuance of a building permit.

Item E            Approving Second Amendment to Contract for Private Redevelopment with Next-Tech Development LLC. This item was pulled from the Consent Agenda and moved to discussion.

Item F            To adopt the following resolution **Resolution 21-172**

**Resolution of the City of Woodbury, Washington County, Minnesota approving the Cooperative Agreement with Ramsey-Washington Metro Watershed District for Pond Maintenance.**

Item G            To adopt the following resolution **Resolution 21-173**

**Resolution of the City of Woodbury, Washington County, Minnesota approving the cooperative agreement with South Washington Watershed District for the Flood Risk Reduction Grant Program.**

Item H            To adopt the following resolution **Resolution 21-174**

**Resolution of the City of Woodbury, Washington County, Minnesota authorizing the use of Trunk Water and Sanitary Sewer Funds for the Northeast Trunk Sanitary Sewer Alignment Study.**

Item I            To adopt the following resolution **Resolution 21-175**

**Resolution of the City of Woodbury, Washington County, Minnesota Certifying Delinquent Utility Bill/Curb Stop Repair for 397 Meadow Lane to the Washington County Auditor.**

Item J            To adopt the following resolution **Resolution 21-176**

**Resolution of the City of Woodbury, Washington County, Minnesota appointing Matthew Rausch to the position of Police Officer effective October 14, 2021, Steffen Hall to the position of Police Officer effective October 15, 2021, Stephanie Wallace to the position of Police Officer effective October 16, 2021, John Miller to the position of Police Officer effective October 17, 2021, Brian Teschendorf to the position of Police Officer effective October 18, 2021, and Andrew Mattson to the position of Police Officer effective October 19, 2021.**

Item K            To adopt the following resolution **Resolution 21-177**

**Resolution of the City of Woodbury, Washington County, Minnesota appointing Blake Allington, Aaron Stewart, Chad Bjornstad and Derek Crook to the position of Public Service Worker – Streets effective October 18, 2021.**

Item L            To adopt the following resolution **Resolution 21-178**

**Resolution of the City of Woodbury, Washington County, Minnesota appointing Kevin Lynch and Michael Martin to the position of EMS/Fire Supervisor effective October 14, 2021.**

Item M            To adopt the following resolution **Resolution 21-179**

**Resolution of the City of Woodbury, Washington County, Minnesota appointing Kevin Knutson to the position of Accountant I effective October 26, 2021.**

Item N            To adopt the following resolution **Resolution 21-180**

**Resolution of the City of Woodbury, Washington County, Minnesota approving a Memorandum of Understanding between the City and the Professional Fire Fighters of Woodbury IAFF Local 5178.**

Item O            The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the mayor and City

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Administrator is hereby approved. Staff recommends approval of the abstract of bills for September 24, 2021 in the amount of \$367,651.60 and October 1, 2021 in the amount of \$1,314,818.36.

Councilmember Date moved, seconded by Councilmember Morris, to approve the Consent Agenda items A-O, with the exception of C and E.

**Voting via voice:**

Kim Wilson – aye  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

**Swearing in of New Police Officers Matthew Rausch, Steffen Hall, Stephanie Wallace, John Miller, Brian Teschendorf and Andrew Mattson**

**A. Meaning of the Badge – Public Safety Director/Police Chief Lee Vague**

Chief Vague stated each new Police Officer will be issued a unique badge number. He added the City's Police Officers are proud of what the badge means, and what it represents every day. He noted he is pleased that the Officers will join the City in service to its residents.

**B. Oath – Mayor Burt and New Officers Matthew Rausch, Steffen Hall, Stephanie Wallace, John Miller, Brian Teschendorf and Andrew Mattson**

Public Safety Director/Police Chief Lee Vague introduced 6 new Police Officers to be sworn in. He added their families are present to share this special occasion with them.

Matthew Rausch served with the Kent, Washington Police Department for six years. He served as a Sergeant in the Marine Corps, and has experience with neighborhood investigation and S.W.A.T. His badge will be pinned by his wife Crystal and daughter Olivia.

Steffen Hall served in the U.S. Army for 8 years, including overseas as a Military Police Patrol Sergeant and Investigator. He has also worked in corporate asset management. His badge will be pinned by his wife Shauna.

Stephanie Wallace has served as a Minnetonka Police Officer for two years after working as a Community Service Officer (CSO). She holds a Bachelor of Science Degree in Law Enforcement from Minnesota State University - Mankato. Her badge will be pinned by her mother, Marcia.

John Miller, previously a small business owner, switched gears to a career in Public Safety. He has served as a Reserve Officer and CSO for the City of Woodbury and is now being sworn in as a Police Officer. He has an AA Degree in Law Enforcement from Century College. His badge will be pinned by his wife, Brandy.

Brian Teschendorf served overseas with the Army/National Guard as an Infantryman Fire Team Leader Sergeant. He holds a Bachelor of Science Degree in Law Enforcement from Minnesota State University – Mankato and has experience in Security. His badge will be pinned by his stepdad, Tony.

Andrew Mattson served in the Ramsey County Sheriff's Department as a Corrections Officer and has experience as a CSO. Mr. Mattson has worked as a Personal Care Assistant and volunteers at his church as a musician. He holds an AA degree in Law Enforcement from Inver Hills Community College. His badge will be pinned by his fiancée Paige.

Mayor Burt swore in the new Officers.

**Public Hearings**

**A. Certify Delinquent Unpaid Special Charges – Property Cleanup to the Washington County Auditor**

Mayor Burt declared the public hearing open.

Community Development Director Janelle Schmitz reviewed the Code Enforcement citation process. Under State Statute 429, the City can choose to issue a citation to abate a nuisance and bill the property owner. If the invoice is not paid, the invoice amount will be placed as a pending assessment on the property and certified for the following year.

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Ms. Schmitz reviewed the two citations for approval. She added the property owners have 30 days to pay the full amount and avoid a 3% interest charge. She noted the citation amounts include a \$25 administrative fee.

- 3349 Commonwealth Road, \$275 (Parcel 20-028-21-14-0028); lawn mowing
- 9188 Plymouth Road \$210, (Parcel 27-028-21-23-0149); snow and ice removal from sidewalk

Ms. Schmitz stated City Staff recommends City Council adoption of Resolution #21-182 certifying delinquent unpaid special charges related to property cleanup to the Washington County Auditor.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Date, Morris, Santini, Burt  
Absent: None

Councilmember Wilson asked whether these are one-time charges. Ms. Schmitz stated she is unsure in these specific cases. She noted the total includes a \$25 admin fee.

Councilmember Morris stated, as a business owner, these costs are in line with fines and assessments for snow removal. He added it is actually on the low end.

Councilmember Date stated these are one-time charges, but she agrees it does seem high.

Ms. Schmitz stated a third-party contractor is hired to do the work.

Councilmember Morris stated residents receive a violation notice which includes information regarding associated costs.

Ms. Schmitz stated City Staff works with residents to resolve these issues and gives them a time frame. She added the fact that there are only two properties is very minimal. She noted these are costs that the City has already incurred.

Councilmember Date moved, seconded by Councilmember Morris,

To adopt the following resolution

**Resolution 21-181**

**Resolution of the City of Woodbury, Washington County, Minnesota Certifying Delinquent Unpaid Special Charges – Property Cleanup to the Washington County Auditor.**

**Voting via voice:**

Kim Wilson – aye  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

**Discussion**

**A. Consent Agenda Item C. Meadowwood Villas Final Plat and Development Agreement, Project No. 06-2021-00466**

Councilmember Date moved, seconded by Councilmember Morris, to adopt a motion approving Meadowwood Villas; Final Plat, Project No. 06-2021-00466 subject to conditions outlined in Council Letter 21-235 and listed below:

1. All conditions of the Planned Unit Development and Preliminary Plat approval shall remain in full force and effect.
2. The Final Plat shall include all necessary easements to match the utility plans being prepared by the City's consultant engineer.
3. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney's plat opinion.
4. The final street names shall be reviewed and approved by the Chief Building Official.
5. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code.
6. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property. These charges are identified in a preliminary report prepared for the project and shall be in the Development Agreement.
7. All permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements shall be granted to the City at no cost or paid for by the Developer.
8. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a

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minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.

9. The Developer shall receive written approval that all obligations have been completed prior to dedicating all outlots. Any and all future tax obligations shall be paid by the Developer.
10. The Final Plat shall be recorded prior to issuance of a building permit.

**Voting via voice:**

Kim Wilson – nay  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

Councilmember Date moved, seconded by Councilmember Morris, to adopt a motion approving Meadowwood Villas; Development Agreement.

**Voting via voice:**

Kim Wilson – nay  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

**B. Consent Agenda Item E. Second Amendment to the Contract for Private Redevelopment with Next-Tech Development LLC**

Councilmember Wilson requested clarification regarding the amendment, and what would happen to the project if the amendment were denied.

Community Development Director Schmitz stated the amendment would allow minimum improvements to deemed complete after preliminary approval of the site plan. She added that the current language states that final approval for the office building and retail components would be required before the note can be issued. She noted the preliminary site plan for the overall development has already been approved.

Councilmember Wilson asked whether the developer can ask for TIF money while extending the project for an additional 3 years. She added the project was originally anticipated to be completed by December 2021.

Ms. Schmitz stated this is a “pay as you go” TIF, so the developer only receives the increment that was generated the previous year. She added the developer still has incentive to keep the project moving forward. She noted public benefit that the City received through this TIF project is the removal of blight at Key Inn and the Spire building, as well as consolidation of parcels to facilitate redevelopment. Ms. Schmitz stated that the TIF district has been certified on the property.

City Administrator Gridley stated this transaction went through a substantial vetting process on all levels, including legal, Economic Development Commission, and City Council. He added this amendment is being sought to address the commercial office development market conditions.

Councilmember Wilson expressed concern that the City is two years into a contract and already making amendments.

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

**Resolution 21-182**

**Resolution of the City of Woodbury, Washington County, Minnesota approving the Second Amendment to Contract for Private Redevelopment with Next-Tech Development LLC**

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**Voting via voice:**

Kim Wilson – nay  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

**Staff Reports**

**Transportation Report (2nd meeting of the month, May-October)**

None.

**Administrative Report**

Mr. Gridley stated the City of Woodbury recently received a Certificate of Excellence from the International City and County Management Association for Performance Management Program, awarded on the basis of data collection and verification, training and support, public reporting, accountability, process improvement, networking and leadership. He added Woodbury is consistently the only City in Minnesota to receive this distinction. He thanked City Staff for their excellent reporting practices and metrics, which is a crucial element of budget planning and organization of services.

Mr. Gridley stated City Staff have made an adjustment in communication and as well as language refinements after a review requested by Councilmember Date. He thanked Councilmember Date and Mayor Burt for their support and encouragement.

Mr. Gridley stated many construction projects are ongoing, and building permits are up almost 26% over last year. He thanked Ms. Schmitz and community development staff for their hard work under difficult circumstances over the past few months.

Mr. Gridley stated an Open House was held on October 12, 2021 to celebrate the occupancy of Kindeva, which has been one of the City's economic development initiatives. He added City Staff worked closely with Kindeva staff on funding initiatives, and to ensure that public improvements are completed. He noted it was a successful team effort.

Mr. Gridley reviewed ongoing development at the Hudson Road and Manning Avenue area, with construction of the new distribution facility as well as new multi-family residential development.

Mr. Gridley stated it has been an unbelievable year for golf, with a new record of over 40,000 rounds. The course is in terrific shape. He thanked City Staff, including Parks & Recreation Director Michelle Okada and Public Works staff who have all worked so hard and done a great job.

Mr. Gridley reviewed community building events, which have been a strategic focus of the City Council to encourage public safety in the City's neighborhoods. On September 23, Police Officers took part in the annual Law Enforcement "Flame of Hope" Torch Run for Special Olympics Minnesota. On September 25, the City's Big Truck Day showcased the City's large equipment. A community barbecue was held at Lakeside Townhomes. The City has been partnering with the Christian Cupboard Emergency Food Shelf.

Mr. Gridley stated the City's water restrictions have been removed, and City Staff are actively working to increase water production capacity. He added Well #20 design is complete and contracts awarded, with groundbreaking scheduled for November. He noted playground equipment was installed at Wedgewood Heights Park.

Mr. Gridley stated potential community survey questions will be reviewed by the City Council on October 20, 2021. He added the survey results should be back for City Council review by May 2022.

Mr. Gridley stated two public hearings will be held at the City Council's October 27, 2021 meeting: an amendment to the 2021 Annual Action Plan and the 2022 Roadway Rehabilitation Project.

Mr. Gridley stated the Economic Development Commission meeting is scheduled for October 26, 2021 at 7:30 a.m. in the Ash North & South Conference Rooms.

Mr. Gridley stated increased Council listening sessions are a new initiative of the City Council, and budget listening sessions are scheduled for October 26, 2021 at 10:00 a.m. and 7:00 p.m. Online meeting links will be available for these sessions.

Mr. Gridley stated the Housing and Redevelopment Authority meeting is scheduled for October 27, 2021 at 7:00 p.m.

Mayor Burt stated the new playground equipment delivery for installation in Wedgewood Heights Park has been delayed.

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Mayor Burt stated the Chamber of Commerce is seeking nominees for Public Safety Employee of the Year. Nominations are being accepted through November 15, 2021, and additional information is available on the Chamber website.

**Adjourn to Council Workshop Meeting**

Councilmember Morris moved, seconded by Councilmember Date, to adjourn the meeting at 8:30 p.m.

Voting in Favor: Wilson, Date, Morris, Santini, Burt

Absent: None

Respectfully submitted,



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Kimberlee K. Blaese, City Clerk

Approved by the Woodbury City Council on October 27, 2021